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Serial No.: 09/899,261

REMARKS

Claims 1-7 are pending and stand ready for further action on the merits. Support for the amendment to claim 1 can be found on page 62, lines 20-22 of the specification. Support for new claim 6 can be found on page 62, lines 12-19 of the specification. Support for new claim 7 can be found on the first and second paragraphs of page 7.

No new matter has been added by way of the above-amendment. This amendment has not been made for the sake of patentability and/or does not narrow the scope of the invention.

Claim 1 has been amended to replace the phrase "a combination of phthalazine and phthalic acid" with "a combination of a phthalazine compound and a phthalic acid compound". This amendment has been made to clarify that the scope of the color toning agent encompasses phthalazine and phthalic acid and/or the phthalazine and phthalic acid derivatives described on page 62, lines 12-19 of the specification.

Claims 6 and 7 have been added to further define the invention.

The Examiner is requested to consider the above-amendment in combination with Applicant's comments regarding the patentability of the present invention as described in the November 14, 2002 Amendment.

Conclusion

In view of the above amendments and comments, Applicants respectfully submit that the claims are in condition for allowance. A notice to such effect is earnestly solicited.

Applicants have attached hereto a marked up version of the claims to show the changes made for the Examiner's convenience.

If the Examiner has any questions concerning this application, he is requested to contact Garth M. Dahlen, Ph.D. (#43,575) at the offices of Birch, Stewart, Kolasch & Birch, LLP.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By



Marc S. Weiner
Reg. No. 32,181


MSW/GMD/gh

P. O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachment: Version with Markings to Show Changes Made



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claim 1 has been amended as follows:

1. (Twice Amended) A photothermographic material comprising a support having provided on one surface thereof at least one kind of light-sensitive silver halide, a light-insensitive organic silver salt, a reducing agent for silver ions, and a binder, wherein the photothermographic material comprises a surface active agent represented by the following formula (F):



wherein Rf represents a perfluoroalkyl group, Rc represents an alkylene group, Z represents a group having an anionic group, a cationic group, a betaine-series group, or a nonionic polar group necessary for imparting a surface activity, n represents an integer of 0 or 1, and m represents an integer of 1, 2 or 3, and wherein the photothermographic material comprises a color toning agent, which is a combination of a phthalazine compound and a phthalic acid compound.

Claims 6 and 7 have been added.